



# CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** Adopt Resolution Initiating Proceedings for the Levy and Collection of Assessments, Resolution Approving the Annual Report, and Resolution Declaring Intention to Levy and Collect Assessments for the Lodi Consolidated Landscape Maintenance District No. 2003-1 for Fiscal Year 2009/10; Set Public Hearing for June 17, 2009

**MEETING DATE:** May 20, 2009

**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** Adopt the following resolutions and set a public hearing for June 17, 2009:

1. A resolution of the City Council of the City of Lodi, California, initiating proceedings for the levy and collection of assessments for the Lodi Consolidated Landscape Maintenance District No. 2003-1 for Fiscal Year 2009/10
2. A resolution of the City Council of the City of Lodi, California, approving the Annual Report for the Lodi Consolidated Landscape Maintenance District No. 2003-1 for Fiscal Year 2009/10
3. A resolution of the City Council of the City of Lodi, California, declaring its intention to levy and collect assessments for the Lodi Consolidated Landscape Maintenance District No. 2003-1 for Fiscal Year 2009/10

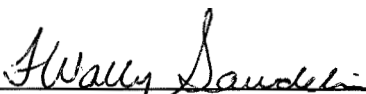
**BACKGROUND INFORMATION:** Over the past six years, the City Council has formed a total of 16 zones of the Lodi Consolidated Landscape Maintenance District No. 2003-1 (District). The scope of maintenance activities funded by the District includes 1) landscape and irrigation, 2) masonry block walls, 3) street parkway trees, and 4) public park areas. The activities and levy amount vary by zone, as described in the City of Lodi, Lodi Consolidated Landscape Maintenance District No. 2003-1, Annual Report (Report), Fiscal Year 2009/10 that is on file in the Public Works Department.

The Report describes the general nature, location and extent of the improvements to be maintained and an estimate of the costs of the maintenance, operations, and servicing for the improvements. The Report includes a diagram for the District showing the area and properties proposed to be assessed; an assessment of the estimated costs of the maintenance, operations and servicing for the improvements; and the net levy upon all assessable lots and/or parcels within the District.

The action requested of the City Council is to initiate proceedings for the levy and collection of assessments for Fiscal Year 2009/10, approve the Annual Report, to declare its intention to levy the assessments and to set a public hearing for June 17, 2009, to receive public comments. After the public hearing, City Council will be asked to confirm the Final Report and order the levy and collection of the assessments.

**FISCAL IMPACT:** Funding for preparation of the Report is included in the assessments.

**FUNDING AVAILABLE:** Not applicable.

  
F. Wally Sandelin  
Public Works Director

Prepared by Sharon Welch, Senior Civil Engineer  
FWS/SAW/pmf  
Attachment  
cc: City Attorney  
Streets & Drainage Manager

Interim Parks and Recreation Director  
NBS

APPROVED:   
Blair King, City Manager

RESOLUTION NO. 2009-63

A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF LODI, CALIFORNIA, INITIATING  
PROCEEDINGS FOR THE LEVY AND COLLECTION OF  
ASSESSMENTS FOR THE LODI CONSOLIDATED  
LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1  
FOR FISCAL YEAR 2009-10

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WHEREAS, the Council previously completed its proceedings in accordance with and pursuant to the *Landscape and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500)* ("Act") to establish the *Lodi Consolidated Landscape Maintenance District No. 2003-1* ("Assessment District"); and

WHEREAS, the City has retained NBS Government Finance Group, DBS NBS, for the purpose of assisting with the annual levy of the Assessment District, and to prepare and file an Annual Report, in accordance with §22567 of the Act.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE COUNCIL, AS FOLLOWS:

1. Annual Report: The Council hereby orders NBS to prepare and file with the City Clerk the Annual Report concerning the levy and collection of assessments within the Assessment District for the fiscal year commencing July 1, 2009 and ending June 30, 2010.
2. New Improvements or Changes to Existing Improvements: There are no changes to existing improvements nor are there any items being added to the list of improvements previously approved at the formation of the Assessment District.

Dated: May 20, 2009

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I hereby certify that Resolution No. 2009-63 was passed and adopted by the City Council of the City of Lodi in a regular meeting held May 20, 2009, by the following vote:

AYES: COUNCIL MEMBERS – Hitchcock, Johnson, Katzakian, Mounce,  
and Mayor Hansen

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None

  
JENNIFER M. PERRIN  
Assistant City Clerk

RESOLUTION NO. 2009-64

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF LODI, CALIFORNIA, APPROVING THE  
ANNUAL REPORT FOR THE LODI CONSOLIDATED  
LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1  
FOR FISCAL YEAR 2009-10

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WHEREAS, the Council previously completed its proceedings in accordance with and pursuant to the *Landscape and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500)* ("Act") to establish the *Lodi Consolidated Landscape Maintenance District No. 2003-1* ("Assessment District"); and

WHEREAS, the City has retained NBS Government Finance Group, DBS NBS, for the purpose of assisting with the annual levy of the Assessment District, and to prepare and file an Annual Report, in accordance with §22567 of the Act; and

WHEREAS, the Council has, by previous resolution, ordered NBS to prepare and file such Annual Report; and

WHEREAS, NBS has prepared and filed such Annual Report with the City Clerk.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE COUNCIL, AS FOLLOWS:

1. Approval of Report: The Council hereby approves the Annual Report concerning the levy of assessments as submitted by NBS for the fiscal year commencing July 1, 2009 and ending June 30, 2010.

Dated: May 20, 2009

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I hereby certify that Resolution No. 2009-64 was passed and adopted by the City Council of the City of Lodi in a regular meeting held May 20, 2009, by the following vote:

AYES: COUNCIL MEMBERS – Hitchcock, Johnson, Katzakian, Mounce,  
and Mayor Hansen

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None

  
JENNIFER M. PERRIN  
Assistant City Clerk

RESOLUTION NO. 2009-65

A RESOLUTION OF THE CITY COUNCIL ~~OF~~ THE CITY  
OF LODI, CALIFORNIA, DECLARING ITS INTENTION  
TO LEVY AND COLLECT ASSESSMENTS FOR THE  
LODI CONSOLIDATED LANDSCAPE MAINTENANCE  
DISTRICT NO. 2003-1 FOR FISCAL YEAR 2009-10

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WHEREAS, the Council previously completed its proceedings in accordance with and pursuant to the *Landscape and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500)* ("Act") to establish the *Lodi Consolidated Landscape Maintenance District No. 2003-1* ("Assessment District"); and

WHEREAS, the City has retained NBS Government Finance Group, DBS NBS, for the purpose of assisting with the annual levy of the Assessment District, and to prepare and file an Annual Report, in accordance with 522567 of the Act.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE COUNCIL, AS FOLLOWS:

1. Intention: The Council hereby declares its intention to levy and collect assessments within the Assessment District to pay the costs of the Improvements for the fiscal year commencing July 1, 2009 and ending June 30, 2010. The Council finds that the public's best interest requires such action.
2. Improvements: The Improvements include, but are not limited to: turf, shrubs, plants and trees, landscaping, irrigation and drainage systems, graffiti removal, and associated appurtenances within the public right-of-ways or specific easements. Services provided include all necessary service, operations, administration and maintenance required to keep the improvements in a healthy, vigorous, and satisfactory condition.
3. Assessment District Boundaries: The boundaries of the Assessment District are as shown by the assessment diagram filed in the offices of the City Clerk, which map is made a part hereof by reference.
4. Annual Report: Reference is made to the Annual Report prepared by NBS, on file with the City Clerk, for a full and detailed description of the improvements, the boundaries of the Assessment District and the zones therein and the proposed assessments upon assessable lots and parcels of land within the Assessment District.
5. Notice of Public Hearing: The Council hereby declares its intention to conduct a Public Hearing concerning the levy of assessments in accordance with §22629 of the Act. All objections to the assessment, if any, will be considered by the Council. The Public Hearing will be held ~~on~~ Wednesday, June 17, 2009, at 7:00 p.m., or as soon thereafter as is feasible, in the Council Chambers located at 305 West Pine Street, Lodi, CA, 95240. The Council further orders the City Clerk to publish notice of this resolution in accordance with §22626 of the Act.

6. Increase of Assessment: The maximum assessment is not proposed to increase from the previous year above that previously approved by the property owners (as "increased assessment" is defined in §54954.6 of the Government Code).

Dated: May 20, 2009

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I hereby certify that Resolution No. 2009-65 was passed and adopted by the City Council of the City of Lodi in a regular meeting held May 20, 2009, by the following vote:

AYES: COUNCIL MEMBERS – Hitchcock, Johnson, Katzakian, Mounce,  
and Mayor Hansen

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None

  
JENNIFER M. PERRIN  
Assistant City Clerk



***Please immediately confirm receipt  
of this fax by calling 333-6702***

CITY OF LODI  
P. O. BOX 3006  
LODI, CALIFORNIA 95241-1910

**ADVERTISING INSTRUCTIONS**

**SUBJECT: PUBLIC HEARING TO CONSIDER LEVY AND COLLECTION OF  
ASSESSMENTS FOR THE LODI CONSOLIDATED LANDSCAPE  
MAINTENANCE DISTRICT NO. 2003-1 FOR FISCAL YEAR 2009-10**

**PUBLISH DATE: SATURDAY, MAY 23, 2009  
SATURDAY, MAY 30, 2009**


**LEGAL AD**

**TEAR SHEETS WANTED: One (1) please**

**SEND AFFIDAVIT AND BILL TO:** RANDI JOHL, CITY CLERK  
City of Lodi  
P.O. Box 3006  
Lodi, CA 95241-1910

**DATED:** THURSDAY, MAY 21, 2009

**ORDERED BY:** RANDI JOHL  
CITY CLERK

  
JENNIFER M. PERRIN, CMC  
ASSISTANT CITY CLERK

\_\_\_\_\_  
MARIA BECERRA  
ADMINISTRATIVE CLERK

**Verify Appearance of this Legal in the Newspaper – Copy to File**

LNS	Faxed to the Sentinel at 369-1084 at _____(time) On _____(date) _____(pages)			
	Phoned to confirm receipt of all pages at _____(time) _____JLT _____MB _____JMP (initials)			



## **DECLARATION OF POSTING**

### **PUBLIC HEARING TO CONSIDER LEVY AND COLLECTION OF ASSESSMENTS FOR THE LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1 FOR FISCAL YEAR 2009-10**

On Friday, May 22, 2009, in the City of Lodi, San Joaquin County, California, a Notice of Public Hearing to consider levy and collection of assessments for the Lodi Consolidated Landscape Maintenance District No. 2003-1 for Fiscal Year 2009-10 (attached and marked as Exhibit A) was posted at the following locations:

Lodi Public Library  
Lodi City Clerk's Office  
Lodi City Hall Lobby  
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 22, 2009, at Lodi, California.

ORDERED BY:

**RANDI JOHL  
CITY CLERK**

  
JENNIFER M. PERRIN, CMC  
ASSISTANT CITY CLERK

\_\_\_\_\_  
MARIA BECERRA  
ADMINISTRATIVE CLERK

## **NOTICE OF PUBLIC HEARING**

RESOLUTION NO. 2009-65

A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF LODI, CALIFORNIA, DECLARING ITS INTENTION  
TO LEVY AND COLLECT ASSESSMENTS FOR THE  
LODI CONSOLIDATED LANDSCAPE MAINTENANCE  
DISTRICT NO. 2003-1 FOR FISCAL YEAR 2009-10

---

WHEREAS, the Council previously completed its proceedings in accordance with and pursuant to the Landscape and Lighting Act of 1972, *Part 2*, Division 75 of the California Streets and Highways Code (commencing with Section 22500) ("Act") to establish the *Lodi Consolidated Landscape Maintenance District No. 2003-1* ("Assessment District"); and

WHEREAS, the City has retained NBS Government Finance Group, DBS NBS, for the purpose of assisting with the annual levy of the Assessment District, and to prepare and file an Annual Report, in accordance with 522567 of the Act.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE COUNCIL, AS FOLLOWS:

1. Intention: The Council hereby declares its intention to levy and collect assessments within the Assessment District to pay the costs of the Improvements for the fiscal year commencing July 1, 2009 and ending June 30, 2010. The Council finds that the public's best interest requires such action.
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6. Increase of Assessment: The maximum assessment is not proposed to increase from the previous year above that previously approved by the property owners (as "increased assessment" is defined in §54954.6 of the Government Code).

Dated: May 20, 2009

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AYES: COUNCIL MEMBERS – Hitchcock, Johnson, Katzakian, Mounce,  
and Mayor Hansen

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None

  
JENNIFER M. PERRIN  
Assistant City Clerk

CITY COUNCIL

LARRY D. HANSEN, Mayor  
PHIL KATZAKIAN,  
Mayor Pro Tempore  
SUSAN HITCHCOCK  
BOB JOHNSON  
JOANNE L. MOUNCE

CITY OF LODI  
PUBLIC WORKS DEPARTMENT

CITY HALL, 221 WEST PINE STREET  
P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 333-6706  
FAX (209) 333-6710  
EMAIL [pwdept@lodi.gov](mailto:pwdept@lodi.gov)  
<http://www.lodi.gov>

BLAIR KING  
City Manager  
RANDI JOHL  
City Clerk  
D. STEVEN SCHWABAUER  
City Attorney  
F. WALLY SANDELIN  
Public Works Director

May 15, 2009

NBS  
32605 Temecula Parkway, Ste. 100  
Temecula, CA 92592

SUBJECT: Adopt Resolution Initiating the Proceedings for the Levy and Collection of Assessments, Resolution Approving the Annual Report, and Resolution Declaring Intention to Levy and Collect Assessments for the Lodi Consolidated Landscape Maintenance District No. 2003-1 for Fiscal Year 2009/10; Set Public Hearing for June 17, 2009

Enclosed is a copy of background information on an item on the City Council agenda of Wednesday, May 20, 2009. The meeting will be held at 7 p.m. in the City Council Chamber, Carnegie Forum, 305 West Pine Street.

This item is on the consent calendar and is usually not discussed unless a Council Member requests discussion. The public is given an opportunity to address items on the consent calendar at the appropriate time.

If you wish to write to the City Council, please address your letter to City Council, City of Lodi, P. O. Box 3006, Lodi, California, 95241-1910. Be sure to allow time for the mail. Or, you may hand-deliver the letter to City Hall, 221 West Pine Street.

If you wish to address the Council at the Council Meeting, be sure to fill out a speaker's card (available at the Carnegie Forum immediately prior to the start of the meeting) and give it to the City Clerk. If you have any questions about communicating with the Council, please contact Randi Johl, City Clerk, at (209) 333-6702.

If you have any questions about the item itself, please call Sharon Welch, Senior Civil Engineer, at (209) 333-6800, extension 2659.



for: F. Wally Sandelin  
Public Works Director

FWS/pmf

Enclosure

cc: City Clerk